

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 1-15 are pending in the application. In response to the Office Action (Paper No. 4), Applicant respectfully submits that the pending claims define patentable subject matter.

The Examiner is requested to indicate acceptance of the drawings filed August 30, 2001 in the next action.

As a preliminary matter, Applicant thanks the Examiner for indicating the claim 9 would be allowable if rewritten in independent form. However, Applicant respectfully requests the Examiner to hold in abeyance the rewriting of claim 9 until the Examiner has had the opportunity to reconsider the rejected parent claim in light of the arguments presented below in support of the Applicant's traverse of the rejection.

Claims 1-7, 14 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. By this Amendment, Applicant has amended the claims to improve clarity. Accordingly, the Examiner is requested to withdraw the § 112, second paragraph, rejection.

Claims 1-8 and 10-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mochizuki (U.S. Patent No. 6,580,901) in view of Skarby (U.S. Patent No. 6,334,050). Applicant respectfully traverses the § 103 rejection.

With regard to independent claims 1 and 8, the Examiner asserts that Mochizuki discloses all of the features of the claimed invention except for the detected voltage or the set point voltage

being rendered dependent on the voltage of the power supply before comparing the detected voltage with the set point voltage, which the Examiner contends is disclosed by Skarby.

The Examiner asserts that Mochizuki “teaches that [said] detected voltage or said set point voltage is rendered dependent on the voltage of said power supply battery (column 8, lines 10 - column 9, lines 17 and Fig. 6, 7).” However, Applicant respectfully submits that the Examiner has mischaracterized the teachings of Mochizuki in this regard. As shown in Fig. 6, the set point / reference voltage V_{ref} is set by the control unit 8 based on a control signal S_{cont} (including a burst timing command and an output power setting command) received from a base station (not shown). The detected voltage V_{det} is generated based on a part of the transmission burst signal S_{out} and a control signal V_a generated by the control unit 8. That is, the control unit 8 generates the control signal V_a based on the control signal S_{cont} received from a base station and supplies the control signal V_a to the variable attenuator 9 so as to cause the input to the detector 5 to be at a constant level without depending on the transmission burst signal S_{out} . Thus, nowhere does Mochizuki teach or suggest that the reference voltage V_{ref} or the detected voltage V_{det} is rendered dependent on the voltage of the power supply battery 7.

The Examiner (citing Fig. 1, the abstract and column 2, line 55- column 3, line 12) contends that Skarby teaches that the detected voltage or the set point voltage being rendered dependent on the voltage of the power supply before comparing the detected voltage with the set point voltage. However, Skarby never even mentions or shows the power supply battery or the output voltage thereof. As shown in Fig. 1, power sensing means 111 converts the output power of a transmitted measured radio frequency signal to a detector signal U_{det} (detected voltage). A reference signal U_{ref} (set point voltage) is set to a maximum permitted output power of the

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transmitted measured radio frequency signal for the cell of the radio base station. The detector signal U_{det} is compared with the reference signal U_{ref} to generate a difference signal U_e which is provided to a transmitter amplifier unit 101 and a receiver amplifier unit 104. Thus, nowhere does Skarby teach or suggest that the reference signal U_{ref} or the detector signal U_{det} is rendered dependent on a voltage of a power supply battery.

Accordingly, Applicant respectfully submits that claims 1-8 and 10-15 should be allowable because the cited references, alone or in combination, do not teach or suggest all of the features of the claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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